

EA



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,578	02/23/2004	Hiroshi Abe	42530-6500	9574

7590 09/29/2005

Joseph W. Price
SNELL & WILMER L.L.P.
Suite 1200
1920 Main Street
Irvine, CA 92614-7230

EXAMINER

BEAUCHAINE, MARK J

ART UNIT	PAPER NUMBER
----------	--------------

3653

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/784,578

Applicant(s)

ABE, HIROSHI

Examiner

Mark J. Beauchaine

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/23/04.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 6, 8, 13 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Patent Number 5,064,404 by Champion. The coin discharge apparatus disclosed by said '404 patent incorporates coin bowl 26, selector disc 34 and baffle 30 that read on the Applicant's bowl, selection disc and moving wall section, respectively.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3653

Claims 4, 5, 7, 9-12, 14 and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over said above-mentioned '404 patent in view of Patent Number 5,423,455 by Ricciardi et al. The coin discharge apparatus disclosed by said '404 patent incorporates coin bowl 26, selector disc 34 and baffle 30 that read on the Applicant's bowl, selection disc and moving wall section, respectively.

Although the coin discharge apparatus of said '404 patent fails to disclose an automated means of maintaining a certain level of bulk product within the hopper, the use of such configurations is well known in the art. The '455 patent teaches a supply vessel 2 that receives bulk material from an overhead location and subsequently discharges said bulk material from the lower portion of said vessel. Furthermore, the level of bulk material is detected by level probe 30 which sends an actuating signal to controller 12 which sends a signal to feed valve 21 to regulate the level of bulk material within vessel 2. Said probe 30 and valve 21 of said '404 patent read on the Applicant's detecting unit and actuating unit, respectively. The screw jack of claims 9 and 16, and the spring of claims 10 and 17 are obvious variations of the actuating means of said '455 patent.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the bulk material level regulating configuration of said '404 patent into the coin discharge apparatus of said '455 patent to provide an effective means of regulating the amount of stored coins transferred from the coin bowl to the coin dispensing means.

Conclusion

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Patent Number 5,462,010 by Takano et al because of its supply controller 10,
Patent Number 5,326,312 by Patroni because of its reservoir 67,
Patent Number 5,017,176 by Swierzek because of its payout plate 22,
Patent Number 4,469,709 by Schrauf because of its feeder part 14, and
Patent Number 1,962,018 by Kenkel because of its swinging abutment 5.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark J. Beauchaine whose telephone number is (571)272-6934. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald P. Walsh can be reached on (571)272-6944. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3653

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mjb


DONALD P. ANALSKY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600